

12-1906

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 2629 :  
Examiner: Holton, S. :  
In re Application of: VIRTUAL HOLOGRAPHIC INPUT  
Montellese METHOD AND DEVICE  
Serial No.: 10/706,720 :  
Filing Date: November 12, 2003 :

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box: 1450  
Alexandria, VA 22313-1450

## EXPRESS MAIL CERTIFICATE

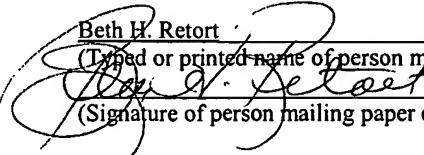
"Express Mail" label number: ER524399569US

Date of Deposit: December 18, 2006

I hereby certify that the following attached paper or fee

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT  
RESPONSE TO OFFICE ACTION**

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: **Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

Beth H. Retort  
(Typed or printed name of person mailing paper or fee)  
  
(Signature of person mailing paper or fee)

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NOTE: The label number need not be placed in each page. It should, however, be placed on the first page of each separate document, such as, a new application, amendment, assignment, and transmittal letter for a fee, along with the certificate of mailing by "Express Mail." Although the label number may be on checks, such a practice is not required. In order not to deface formal drawings it is suggested that the label number be placed on the back of each formal drawing or the drawings be accompanied by a set of informal drawings on which the label number is placed.

(Express Mail Certificate [8-3])



PATENT  
060806

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Art Unit:	2629	:	
Examiner:	Holton, S.	:	
In re Application of:	Montellese	:	VIRTUAL HOLOGRAPHIC INPUT METHOD AND DEVICE
Serial No.:	10/706,720	:	
Filing Date:	November 12, 2003	:	

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice of Non-Compliant Amendment mailed November 27, 2006 ("Notice") for the captioned patent application.

With regard to the office action response filed on November 6, 2006 for the application, the Notice states that, "The filed amendment is signed by Mr. Lazzara who is identified as attorney for the case; however, no forms indicating that Mr. Lazzara or other associates possess Power of Attorney has been filed in this case."

In response to the Notice, I would like to direct the Office's attention to Rule 34 (37 CFR §1.34):

**§ 1.34 Acting in a representative capacity.**

When a patent practitioner acting in a representative capacity appears in person or signs a paper in practice before the United States Patent and Trademark Office in a patent case, his or her personal appearance or signature shall constitute a representation to the United States Patent and Trademark Office that under the provisions of this subchapter and the law, he or she is authorized to represent the particular party on whose behalf he or she acts. In filing such a paper, the patent practitioner must set forth his or her registration number, his or her name and signature. Further proof of authority to act in a representative capacity may be required.

The November 6, 2006 office action response was filed in compliance with Rule 34, and it is unclear why the Office now requires "forms indicating that Mr. Lazzara or other associates possess Power of Attorney" to consider the office action response. Nonetheless, in the interest of expediting prosecution, enclosed is a further copy of the office action response filed on November 6, 2006, but now executed by me, the applicant for the captioned application.

Attorney Docket No. 060806  
Serial No. 10/706,720

I submit that all requirements set forth in the Notice have been satisfied by the present submission. Expedited consideration and allowance are respectfully requested for the captioned application.

Respectfully submitted,

Date: 12/16/2006

  
Steve Montellese  
Applicant

2661 Clearview Road  
Allison Park, PA 15101



PATENT  
060806

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit: 2629 :  
Examiner: Holton, S. :  
In re Application of:  
Montellese : VIRTUAL HOLOGRAPHIC INPUT  
Serial No.: 10/706,720 : METHOD AND DEVICE  
Filing Date: November 12, 2003 :

**RESPONSE TO OFFICE ACTION**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This communication is responsive to the Office Action mailed May 4, 2006.

A. **INTRODUCTORY COMMENTS**

Reconsideration and allowance are requested in view of the following amendments and remarks. Upon entry of this Reply, claims 1-9 will be pending in the present application. Support for the claims is found throughout the specification. No new matter has been added.